

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MIKE A. TRANCHITA,

Plaintiff,

v.

CONCORD POLICE
DEPARTMENT, OFFICER
PADILLA, CONTRA COSTA JAIL
OFFICER POLLER, DETECTIVE
STODDARD,

Defendants.

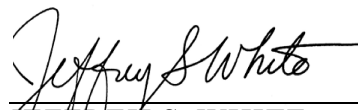
No. C 05-0338 JSW (PR)

ORDER OF DISMISSAL

On April 11, 2005, the Court dismissed the complaint in this civil rights case but granted Plaintiff thirty days to amend the complaint to state a cognizable claim. The court notified Plaintiff that failure to amend by the designated time would result in a dismissal of the case. Plaintiff has not filed any amendment. Accordingly, this case is DISMISSED without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). *See Link v. Wabash R.R.*, 370 U.S. 626, 633 (1962); *McKeever v. Block*, 932 F.2d 795, 797 (9th Cir. 1991). The clerk shall close the file and enter judgment in this matter.

IT IS SO ORDERED.

DATED: October 24, 2005


JEFFREY S. WHITE
United States District Judge